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October 11, 2016

**Via ECF and First Class Mail**

Honorable William H. Pauley III  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007-1312

**Re: In re Kenneth Ira Starr, et al., Debtors,  
Robert Geltzer, as Trustee v. Leibovitz, et al.  
16-cv-5889 (WHP)**

Dear Judge Pauley,

Our firm is Special Litigation Counsel to Robert L. Geltzer, as Chapter 7 Trustee (the "Trustee") of the debtors Kenneth Starr, et al., and as Trustee, the plaintiff-counterclaim defendant in the above-referenced adversary proceeding. Pursuant to Your Honor's Order of August 5, 2016, this constitutes the parties' joint report as to the present status of the adversary proceeding. The undersigned has been authorized by counsel for the defendants-counterclaim plaintiffs in the adversary proceeding (who are copied on this letter) to represent that said counsel concurs with the content of this report.

On August 5, 2016, Your Honor so ordered a Stipulation and Order Withdrawing Reference of Adversary Proceeding, pursuant to which the parties, as approved by the Court, agreed that the reference of the adversary proceeding to the Bankruptcy Court "shall be deemed withdrawn upon completion in the Adversary Proceeding of (i) pre-trial discovery, and (ii) adjudication by the Bankruptcy Court of any discovery-related motions by, and/or discovery-related disputes between, any of the Parties."

Discovery has commenced in the Adversary Proceeding. The parties have exchanged Initial Disclosures. Document demands have been served by each side and production of documents in response thereto has commenced. Each side also have served upon the other Interrogatories and responses and objections thereto. The Trustee has conducted the deposition of the defendant-counterclaimant Annalou Leibovitz a/k/a Annie Leibovitz, and additional

Honorable William H. Pauley III  
October 11, 2016  
Page 2 of 2

depositions have been noticed by each side and are in the process of being scheduled. On September 23, 2016, Bankruptcy Judge Michael E. Wiles so ordered an Amended Scheduling Order consented to by all parties, pursuant to which the deadline for the completion of discovery in the adversary proceeding has been extended to November 30, 2016.

We thank Your Honor for your time and consideration respecting this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'CMT', with a large, stylized flourish extending from the end.

Christopher M. Tumulty

CMT/ph

cc: Bijan Amini, Esq.  
Avery Samet, Esq.  
Jeffrey Chubak, Esq.